

## Section II

### PRPD's Action Plans: Paragraph 250(b) through 250(d)

As reported in the TCA's prior reports, for each of the eleven (11) focus areas, the Agreement sets forth specific timelines on when PRPD is to submit Action Plans for approval. It also mandates a stepped approach on how and when the PRPD is to comply with the terms outlined in the Agreement. The Action Plans describe temporal benchmarks and detailed steps agreed upon to execute and implement the required reforms and to achieve the desired outcomes in each substantive area. Paragraphs 231 through 240 discuss in detail their development, implementation, and assessment. The Action Plans are to examine policies and any required revisions, mandatory training, resources, staffing, budgetary requirements, and a schedule for when specific policies are to become field operational.

This section of the Report addresses whether the PRPD is in compliance and meeting the timeframe outlined in the Action Plans and making satisfactory progress toward implementation of the Agreement by rating the PRPD in full, partial, or non-compliance with steps in the Action Plans. It also discusses the specific findings and methodology for each review, when appropriate. It also includes the TCA's recommendations detailing the necessary steps to achieve compliance with any detailed steps that were found not to have been fully implemented.

During this reporting period, there were four (4) Action Plans in full effect: *Use of Force; Searches and Seizures; Equal Protection and Non-Discrimination; Civilian Complaints, Internal Investigations, and Discipline*. These plans were sent on May 7, 2015, to the TCA and the USDOJ for review and approval. The TCA and the USDOJ issued edits and suggestions, which the PRPD reviewed and accepted. The revised versions of these Plans were sent to the TCA and the USDOJ on July 13, 2015. Additional suggestions were made, and on August 7, 2015, the final revised versions were resubmitted. On August 27, 2015, these four (4) Action Plans were approved by the TCA and the USDOJ. In September 2015, the TCA submitted his methodology for evaluation of the aforementioned Plans that were later approved by the Parties.

There were four (4) Action Plans that went into effect during the reporting period. In February 2016, the TCA and the USDOJ approved the Action Plans for

*Professionalization; Recruitment, Selection, and Hiring; Supervision and Management; and Community Engagement and Public Information.* These Plans were originally submitted on September 25, 2015. The TCA and the USDOJ issued comments and recommendations, which were reviewed and accepted by the PRPD. The revised versions of the plans were sent to the TCA and the USDOJ on January 10, 2016. That same month, the TCA submitted the methodology for evaluation of these plans, which was also approved by the Parties.

In April 2016, the PRPD submitted the remaining set of Action Plans on *Policies and Procedures, Training, and Information Systems and Technology*. These three (3) Action Plans have been reviewed by the USDOJ and the TCA resulting in a set of specific changes and recommendations. In May 25, 2016, the PRPD re-submitted these Plans, and they are currently under a second review by the USDOJ and the TCA.

With the final approval of all eleven (11) Action Plans, the Parties will treat all of these Plans as fully incorporated, enforceable terms of the Agreement. During the first four years from the appointment date of the TCA, the Agreement requires the TCA to evaluate and assess the PRPD's progress against these eleven Action Plans. Given that it has taken two years of cooperative work between the Parties and the TCA to complete these eleven Action Plans for all compliance areas, the Parties are renegotiating an extension of the capacity building period.

For accountability purposes, the TCA notes that the PRPD provided their Action Plan activities in the form of a table that pointed out which Paragraphs of the Agreement were applicable, as well as a due date for deliverables. Keeping in mind these timelines, the TCA has started to conduct interviews, review documents, and conduct site visits to determine the nature and extent of the PRPD's progress with that particular Action Plan to be able to report his findings in a similar table. These visits are documented in this report.

For methodological purposes, it is important to clarify that the TCA comments for Action Plans cover all activities up to June 9, 2016, as established by the timelines in the PRPD timetables. The TCA measures timeframes and steps. When measuring timeframes, the question is whether the timeframe has been met and the PRPD is "in compliance" or "noncompliance." When measuring steps, the question is whether the PRPD is making satisfactory progress towards the steps indicated in the Plans. Progress is measured by rating the PRPD in full, partial, or noncompliance with the steps.

With regards to the site visits, the TCA and his team conducted site visits to the area commands of Bayamón, Humacao, Fajardo, Guayama, Carolina, Caguas, Arecibo and

San Juan. These visits focused on measuring progress in capacity building and compliance with the terms set in the Action Plans.

## **TCA REVIEW OF PRPD ACTION PLAN ON USE OF FORCE**

### **Use of Force**

The TCA reviewed procedures and documentation for policies relating to use of force -- including impact weapons (baton), chemical agents (pepper spray), and electronic control devices (Taser) -- to ensure the PRPD is acting consistently with the terms of the Agreement and the milestones set in the Action Plans.

In its new policies, the PRPD has stratified use of force at four different levels. Level 4, the most serious, regulates force when the use of force may cause death, grave risk of death, and serious bodily harm. It includes the discharge of a firearm whether or not there is injury, except if an animal is humanely euthanized. It also includes chokeholds, strikes to the head, neck, throat, and any in-custody deaths. Level 3 involves the use of an electronic control device (Taser), direct use of a chemical agent (pepper spray), intentionally pointing a firearm, use of any impact weapon or a bite by a police canine. Level 2 consists of a takedown, an indirect use of a chemical agent, use of an electronic control device or impact weapon where there is no contact, a control technique using a hard hand during an arrest, or injuries with the hands, open hand, elbows, kicks, or leg sweeps. Level 1 involves escorts using physical contact (this includes techniques with the baton), immobilization techniques, and grab and twists of an arm or wrist. Control techniques of a vulnerable area (grab hair, restriction on pressure points, holding and grabbing shoulder muscle) and shooting an injured animal.

During each site visit, the TCA and his Core Team interviewed commanding officers ("FRB presidents") of the Area Force Review Boards ("FRB"). The PRPD has thirteen (13) different Area Commands all of which have an FRB. All Presidents have received training at the PRPD Academy on policies on use of force as well as their duties and responsibilities consistent with the newly published policy.

The Core Team found some FRB presidents demonstrated exceptional initiative. For instance, Bayamon created a database of use of force incidents occurring in their Area Command. However, no other site had any similar equivalent. The other sites had piecemeal information, some more than others, but it was clear that there was no uniformity in reporting documentation. It should be noted that the current policy does not require or detail specific uniform reporting requirements to capture all the data in the

aggregate, which, in opinion of the TCA, is a policy deficiency that should be reviewed and corrected pursuant to Paragraphs 112 and 113.

The TCA recommends that the PRPD ought to create policies and regulations where the data points on information can capture all four (4) levels of use of force along with the required forms requiring specific data to readily retrieve information. The PRPD should also consider Area Command level instruction to jumpstart the process, which can later be reinforced with Police Academy training and by establishing an information technology database for this requirement. This information would be useful in identifying deficiencies in training as well as possible patterns.

A universal problem reported by all of the FRB presidents has been that cases forwarded to the FRB for evaluation in many instances were incomplete, or inaccurate, necessitating the FRB to return the case to the command of origin for corrections. This deficiency resulted in delays in evaluating cases. The FRB presidents attributed this to a lack of official training for supervisors in the field on the use of force related policies. Notwithstanding the aforesaid, the TCA commends the PRPD for identifying the problem and seeking to remedy it. The TCA will continue to review the use of force documentation to ensure this problem does not become a recurring one. If the problem persists, the TCA recommends that this policy deficiency be reviewed and corrected and for the PRPD to provide renewed training materials on use of force reporting.

In many locations, the TCA discovered no mechanisms to provide feedback to precinct/district Commanders regarding findings of the FRB relating to cases occurring in their geographical area of responsibility. The PRPD should implement a protocol to inform commanders of all findings of the FRB within their command.

The TCA found a significant problem concerning FRB personnel transfers. For example, during this period, there were 16 personnel transfers, which included high-ranking supervisors in the Area Commands, with no identifiable replacements. In these cases, the PRPD had to appoint new members or FRB presidents to the respective FRBs. This situation delayed cases before the FRB for lack of quorum as well as the time needed to train the new replacements.

### **Force Investigation Unit**

The TCA met with the Commanding Officer of the Force Investigation Unit ("FIU"). The FIU investigates all Level 4 uses of force, as well as any level of force where a crime is alleged, or any use of force is alleged of an officer above the rank of Sergeant. Similarly, the FIU can investigate a use of force ordered by the Superintendent, the Assistant Superintendent Professional Responsibility ("SARP"), or the FRBs. The FIU also has the

added task of being the repository for all original use of force reports (PPR-854). The PRPD does not permit the copying of form PPR-854. Additionally, the FIU responds to the actual scene and investigates all forced entries into dwellings and residences regardless if the PRPD uses force on any individual. It is the FIU's responsibility to determine if the forced entry was justified. There is no relating form prepared or report generated by the FIU. The TCA recommends that such report be generated and disseminated through the Chain of Command.

At PRPD Headquarters, the FIU commander, on his initiative, has computerized the PPR-854 in an Excel database making each populated field easily retrievable. The commander periodically queries the database program to determine if any officers have multiple uses of force incidents reported against them in a relatively short period. That action enables him to identify a potential problem. If he determines that there is a potential problem, he notifies his superiors in SARP.

The TCA recommends the PRPD to adopt the database developed by the Bayamón FIU Commander as an official function of SARP while it waits for the implementation of an "Early Intervention System" required by the Agreement, in Paragraph 147. This database can temporarily function as an effective alternative until PRPD attains a permanent IT solution.

### **Superintendent's Force Review Board**

In addition to the thirteen (13) Area FRBs, there is a Superintendent's Force Review Board (SFRB), which evaluates all FIU investigations and dispositions. Additionally, the SFRB president, who holds the rank of Lieutenant Colonel, meets with area FRB commanders to discuss pending issues and concerns. Paragraph 52 requires the SFRB to evaluate all FIU investigations, including FIU reports and determinations. The SFRB shall consist of senior command staff from varying units. The PRPD policies specify the conduct requirement of SFRB proceedings to ensure thorough, timely, and objective reviews. The SFRB reviews each FIU investigation for completeness, evidentiary support, and compliance with PRPD policy. The SFRB must document each force review proceeding sent to the Superintendent, which shall include findings and recommendations.

The SFRB president reported to the TCA that he meets regularly with presidents of the area FRBs. He strongly supports the premise that the work done by the SFRB and FRBs will enhance the integrity of the PRPD in the eyes of its members and the public. The TCA recommends that this practice of meeting regularly between SFRB and area FRBs be incorporated into future use of force policies and procedures.

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The TCA recommends the PRPD to assess the protocol requiring SFRB to evaluate all forced entry cases, even those where no force was used against an individual. The TCA understands why PRPD initially proposed this requirement, however, as a matter of efficiency, the TCA recommends that only those cases where FIU reports reflect that forced entry was unwarranted should be referred to the SFRB.

### **Verification of Compliance Progress**

#### **I. Policies and Procedures Development Objectives**

Requirement	Develop a General Order creating Review Boards to Evaluate Incidents of Use of Force by PRPD members.
Due Date	July 2015
Progress	Approved by the Superintendent on July 16, 2015.
Finding	Full Compliance

Requirement	Develop General Order Chapter 100 Section 113: Creation of Force Investigating Unit (FIU).
Due Date	June 2015
Progress	Approved by the Superintendent on February 11, 2016
Finding	Full Compliance

Requirement	Develop General Order Chapter 100 Section 112: Reorganization of the Tactical Operations Division
Due Date	July 2015
Progress	Approved by the Superintendent on January 21, 2016

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Finding	Full Compliance
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Requirement	Develop General Order Chapter 100 Section 117: Reorganization of the Division of Special Weapons and Tactics Division
Due Date	August 2015
Progress	Approved by the Superintendent on January 21, 2016
Finding	Full Compliance

Requirement	Develop General Order Chapter 600 Section 620: Rules and Procedures for the Use of Specialized Weapons by Members of the Division of Specialized Tactics
Due Date	September 2015
Progress	Approved by the Superintendent on April 19, 2016
Finding	Full Compliance

Requirement	Develop General Order Chapter 600, Section 625, Crowd Control and Management.
Due Date	September 2015
Progress	Final review and approval April 2016
Finding	Partial Compliance

Requirement	Revise General Order, Chapter 600, Section 607, on Foot Pursuits.
Due Date	November 2015



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Progress	Completed review and consolidated with General Order 600-623: Rules for the Handling of Police Pursuit on March 17, 2016.
Finding	Full Compliance

Requirement	Revise General Order 600, Section 609, on Management of Vehicles in Cases of Emergency Police Pursuits.
Due Date	November 2015
Progress	Completed review and consolidated with General Order 600-623: Rules for the Handling of Police Pursuit on March 17, 2016.
Finding	Full Compliance

Requirement	Protocol Regulating Use of K-9 for Patrol
Due Date	March 2016 (At the request of the Superintendent, the policy was moved to be considered in November 2015)
Progress	PRPD submitted Rules and Procedures for Implementation and Regulation of Patrol Dogs (K9).  Also, PRPD submitted General Order, Chapter 100, and Section 116: Reorganization of the Canine Division (K9).  Both policies were approved in January 2016.
Finding	Full Compliance

**II. Force Review and Investigation**

Requirement	Supervisors must complete the reviews and investigation of the use of force within five working days in accordance with
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	General Order Chapter 600, Section 605- Reporting and Investigation Incidents of Use of Force by PRPD members.
Due Date	Not applicable
Progress	<p>TCA reviewed UOF reports (PPR-854). In some instances, officers were using outdated report forms (PPR-854).</p> <p>Reform Unit notified and corrected the situation.</p> <p>A significant number of reports were not properly classified by level based on the narratives.</p> <p>In some instance supervisor's review was not completed within the five (5) days.</p> <p>In some instances, reports were prepared when an injury to the subject was not as a result of an officer using force to make an arrest.</p> <p>Commanding Officers of the Zone of Excellence were generally well versed in the Use of Force Policy and protocol regarding reporting and investigating incidents.</p>
Finding	Partial Compliance

### III. Training Development Objectives

Requirement	Design Training for Force Investigation Unit (FIU)
Due Date	January 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

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Requirement	Design Training for Tactical Operations Unit (DOT)
Due Date	February 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

Requirement	Design Training for Division of Tactical and Specialized Weapons (SWAT).
Due Date	March 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

Requirement	Design Training for the Use of Less-than-Lethal Weapons and Munitions
Due Date	April 2016
Progress	The TCA and USDOJ reviewed and provided comments on training material.
Finding	Full Compliance

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Requirement	Design Training for Crowd Control
Due Date	April 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

### **TCA REVIEW OF PRPD ACTION PLAN ON SEARCH AND SEIZURE AND ARRESTS AND SUMMONS**

During the months of January through April of 2016, the TCA Core Team conducted a number of site visits to Area Commands. The TCA focused on interviewing the directors and assistant directors of PRPD Crime Investigation Centers (CIC) and Drug Units. In all visits, representatives from the PRPD Reform Unit were present during all interviews, and, for some visits, there were representatives from the USDOJ. The following locations were visited:

- Bayamón
- Humacao
- Fajardo
- Guayama
- Carolina
- Caguas
- Arecibo
- San Juan

The purpose of the visits and interviews was to determine how effective the PRPD has been in following procedures outlined in the PRPD Action Plans for General Orders ("GO") 600-612, Search and Seizure, and 600-615, Arrests and Summons. The following are the TCA's general findings on these site visits to the PRPD CIC's and Drug Units. The TCA is aware that the PRPD is still under the "capacity building period" as provided by the Agreement, but these observations are meant to assist the PRPD and make its leadership aware of what the needs are.

The PRPD has begun training on GO 600-615, Arrests and Citations, and the Academy reported it had trained about 38% of the Department as of the end of April 2016. Also, the

PRPD also has ensured that all officers assigned to Specialized Units, such as CIC's and Drug Units, have received training on GO 600-615, and also on GO 600-612, Search and Seizure.

The TCA was informed that all CIC's and Drug Units are presently gathering data and keeping records manually. Most directors stated they are, or will soon start, converting documents to PDF format for storage and easier communication with Headquarters and Commanders using Microsoft Outlook. Directors also stated that, in the past, they rarely coordinated searches with other Department units. They stated that, at present, they all communicate and coordinate searches and seizures better due to the reform the Department is undergoing. The TCA recommends that these particular area needs are re-examined as the PRPD develops the Information Technology Action Plan to ensure that the data collection protocols for this Unit are upgraded to conform to the best practices standards.

An issue that often came up was that, in many instances, Drug Unit and CIC Unit directors and assistant directors were being transferred around the PRPD for no apparent reason. In only a couple of cases, the transfer was justified due to a promotion or the officer had asked to be transferred. In many cases, directors or their assistants told the TCA, they had just arrived at the unit, although they were almost all well versed in their assigned duties. In one case, a unit director had only three months as head of that unit and said he had just been notified he would be transferred yet again within the following week. The TCA recommends that before any transfer is made at director or assistant director level a study on the impact of operational leadership is conducted, and incoming replacements are properly trained regarding their duties and responsibilities.

The TCA noticed that, in some cases, there were good practices that these units implemented on their initiative. For example, a Unit included a checklist of members participating in searches, including their signatures, with each search warrant file; other units designed a checklist of forms and documents required to be included in the files, which was then attached to the front of the file folder for easy reference. TCA recommended to the Reform Unit that these forms should be part of policy and procedure manuals as required by Paragraph 111 and be formalized and used department-wide. As a result, the PRPD Reform Unit is in the process of standardizing these checklists to be used by all appropriate PRPD units.

The PRPD Operational Plan form, PPR-853, and the Miranda Rights form, PPR-264, were generally well completed, with the exception that some were missing officer's and/or commander's signatures. In most PPR-264 forms, when arrestees refused to sign, there was no notation made by the officer. TCA recommended a notation be made to that effect when applicable. Also, in a few cases, the units were still using old versions of both forms,

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although new approved versions had been in existence for months. The TCA pointed this out to the unit directors and the representatives of the Reform Unit.

Directors mentioned a concern by their members with the new on-foot pursuit policy and its many required forms. They informed this new policy is creating a lot of extra work for them because just about all arrests are made after a pursuit on foot. Directors said suspects rarely give in without engaging first on a foot pursuit, even if it is a brief one. The TCA recommends that a specific database is created to deal with the problem of multiple reports.

### **Verification of Compliance Progress**

#### **I. Policies and Procedures Development Objectives**

Requirement	PRPD will submit to the TCA for annual review General Order 600-615: Arrests and Summons.
Due Date	February 2016
Progress	Original Order was approved by Superintendent November 2015. The TCA conducted the annual review of this general order in February 2016.
Finding	Full Compliance

Requirement	PRPD will submit to the TCA for review General Order 600-612 on Search and Seizure.
Due Date	August 2015
Progress	Approved by Superintendent November 2015.
Finding	Full Compliance

Requirement	PRPD will "Develop a Protocol for the digital recording and storage of communications between the immediate supervisor and the MPRPD through Command Center and Radio Control communication channels.
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Due Date	May 2016
Progress	A protocol has been created by PRPD and submitted to the TCA on May 31, 2016. However, it has not yet been reviewed and/or approved by the TCA.
Finding	Partial Compliance

**II. Reporting and Data Collection Objectives**

Requirement	Once General Order 600-612 on Search and Seizure has been approved with all recommendations from the TCA and USDOJ, PRPD will ensure that all officers comply with documenting all consents to search persons and/or vehicles.
Due Date	August 2015
Progress	<p>PRPD has created Form PPR-879 Consent to Search, and the TCA has reviewed and approved this form. GO 600-612 was last reviewed and approved by the TCA on October 30, 2015.</p> <p>The TCA will monitor compliance with Action Plan deadlines.</p> <p>The TCA will also monitor the impact that the implementation PPR-879 will have on the deadline.</p> <p>The TCA has visited Zones of Excellence in Bayamon West, Quebradillas, and Utuado, as well as Arecibo's CIC. There were no reported cases of consent to search during this reporting period that ended in December 2015.</p> <p>The TCA will visit other Zones of Excellence and Specialized Units for further inspections.</p> <p>Between January and May 2016, the TCA visited the following Police Area's CIC's and Drug Units and interviewed its directors and/or assistant directors. Also, search and seizure files were reviewed to check for completion of form</p>

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	PPR-879 when applicable: Bayamon, Humacao, Fajardo, Guayama, Carolina, Caguas, Arecibo, San Juan. The TCA found that PPR-879 forms were well completed whenever it was applicable.
Finding	Partial Compliance. TCA will continue to visit and interview other CIC's, Drug Units and Zones of Excellence and check for compliance.

Requirement	After the annual review is conducted, PRPD will ensure that the requirement that MPRPD's must continue informing the Command Center and a supervisor immediately after making an arrest, or as soon as possible, will be maintained.
Due Date	February 2016
Progress	TCA conducted an annual review of this order in February 2016. Search and seizure files were reviewed to check for completion of form PPR-879, when applicable, at the following Police Areas: Bayamon, Humacao, Fajardo, Guayama, Carolina, Caguas, Arecibo, San Juan. The TCA found that PPR-879 forms were properly completed whenever it was applicable.
Finding	Partial Compliance. TCA will continue to visit and interview other CIC's, Drug Units and Zones of Excellence and check for compliance.

**III. Training Development Objectives**

Requirement	Review the training on General Order on 600-615 on Arrests and Summons.
Due Date	September 26, 2015
Progress	Training module was reviewed and approved by the TCA. As of April 30 <sup>th</sup> , 2016, the PRPD Academy has trained 38% (5107 officers) of the Department.



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Finding	Full Compliance
Requirement	The PRPD will submit training curriculums on General Order, Chapter 600, Section 612, entitled "Authority of the Puerto Rico Police Department to conduct Searches and Seizures" to the TCA for review and approval.
Due Date	April 27, 2016
Progress	The TCA reviewed and approved the training curriculums on this general order for police cadets and in-service training in May 2016.
Finding	Full Compliance

**IV. Feedback Committee Creation Objectives**

Requirement	PRPD will create and submit to TCA a Protocol to receive comments regularly from the offices of district attorneys, public defenders, and judges of the Commonwealth of Puerto Rico regarding the quality of the investigations, arrests, court testimony, and indications of improper conduct by members of the PRPD.
Due Date	May 2016
Progress	The TCA received a Protocol draft from PRPD on May 31, 2016. TCA has not yet reviewed nor approved this Protocol.
Finding	Partial compliance

**V. Data Gathering and Reporting:**

Requirement	Ensure that all officers document all consents to search. Once GO 600-612 has been approved with all recommendations from the TCA and USDOJ, PRPD will
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	ensure that all officers comply with documenting all consents to search persons and/or vehicles.
Due Date	August 2015
Progress	<p>PRPD has created Form PPR-879 Consent to Search, and the TCA has reviewed and approved this form. GO 600-612 was last reviewed and approved by the TCA on October 30, 2015. The TCA will monitor compliance with Action Plan deadlines.</p> <p>The TCA will also monitor the impact that the implementation PPR-879 will have on the deadline. The TCA has visited Zones of Excellence in Bayamon West, Quebradillas, and Utuado, as well as Arecibo's CIC. There was no reported Cc III. Review and Investigation: Cases of consent to search.</p> <p>The TCA will visit other Zones of Excellence and Specialized Units.</p>
Findings	Partial Compliance

### **TCA REVIEW OF PRPD ACTION PLAN ON ADMINISTRATIVE COMPLAINTS**

Although it was not included in the Action Plans, the PRPD submitted for review of the TCA and the USDOJ General Order 100-114 re-structuring the Auxiliary Superintendence for Professional Responsibility ("SARP"). The General Order was approved and is effective as of February 11, 2016.

#### **Verification of Compliance Progress**

##### **I. Policies and Procedures Development Objectives**

Requirement	Develop the Regulation of Receipt, Processing, Investigation and Adjudication of Administrative Complaints Against PRPD Employees.
Due Date	October 2016

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Progress	The TCA and USDOJ reviewed and provided comments on the regulation. Approved by TCA in May 2016.
Finding	Full Compliance

Requirement	Develop the Investigation Manual for the Auxiliary Superintendence in Professional Responsibility
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the manual. Approved by TCA in May 2016.
Finding	Full Compliance

Requirement	Develop the Investigation Manual for the Auxiliary Superintendence in Professional Responsibility
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments to the manual. Approved by TCA in May 2016.
Finding	Full Compliance

Requirement	Revise Regulation 4216, PRPD Personnel Regulations to establish Code of Ethics & Conduct, Identify Major & Minor Offenses, & Impose Disciplinary Penalties.
Due Date	January 2016
Progress	The TCA and USDOJ reviewed and provided comments to the Revised Regulation.
Finding	Partial Compliance (under current review for final approval by the TCA)

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Requirement	Develop the Administrative Order for the Investigation, Management, & Adjudication of Minor Offenses by Supervisors.
Due Date	March 2016
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Retitled: "Administrative Order for Non-Punitive Corrective Actions Applicable to the Puerto Rico Police Members".
Finding	Partial Compliance (under current review for final approval by the TCA)

## II. Training Development Objectives

Requirement	Design Training on the Administrative Order Regarding Filing of Administrative Complaints.
Due Date	January 2016
Progress	The TCA reviewed and provided comments on the training.
Finding	Full Compliance

Requirement	Design Training on an Interagency Memorandum between PRPD & PRDOJ on Responsibilities for Criminal & Administrative Investigations.
Due Date	March 2016
Progress	The TCA reviewed and provided comments on the training.
Finding	Full Compliance

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Requirement	Design Training on the Responsibilities of PRPD Employees to Provide Statements about Work-Related Incidents.
Due Date	April 2016
Progress	The TCA reviewed and provided comments on the training.
Finding	Full Compliance

### III. Data Gathering Objectives

Requirement	<p>The Office of the Assistant Superintendent for Managerial Services and its Bureau of Technology and Bureau of Human Resources will call upon SARP and OLA to evaluate the Information System they must acquire.</p> <p>They must identify the needs of the work units involved in the process of registering and evaluating complaints for improper conduct to receive, process, and resolve the same.</p>
Due Date	February 2016
Progress	No clear progress reported
Finding	No Compliance

Requirement	After making an inventory of the files of MPRPD's, SARP, OLA, and SASG, with its Bureau of Technology and Bureau of Human Resources, will establish the procedures to digitalize files and the specific time established in the Public Document Management Policy.
Due Date	May 2016
Progress	No clear progress reported
Finding	No Compliance

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**TCA REVIEW OF PRPD ACTION PLAN ON EQUAL PROTECTION AND NON-DISCRIMINATION****Verification of Compliance Progress****I. Policies and Procedures Development Objectives**

Requirement	Control on the Use, Distribution, Archiving and Final Disposition of the Crime Incident Report (NIBRS) in the Puerto Rico Police Department
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the regulation. Approved by TCA in December 2015. Effective: January 1, 2016,
Finding	Full Compliance

Requirement	Internal Rules for the Prevention of Discrimination, Harassment, Sexual Misconduct and Retaliation in Puerto Rico Police
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments. Approved by TCA in December 2015. Approved by the Superintendent on February 11, 2016. Effective on February 26, 2016. Subsequently, the USDOJ objected to the policy. The TCA is addressing in accordance with Paragraph 230.
Finding	Pending action based on USDOJ objections.

Requirement	PRPD Regulation No. 8728 for the Establishment of Police Practices Free of Sexual Misconduct, Discrimination, and Retaliation
Due Date	December 2015

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Progress	The TCA and USDOJ reviewed and provided comments. Approved by TCA in February 2016. Effective on April 13, 2016.
Finding	Full Compliance

Requirement	General Order 100-118: Functions and Responsibilities Special Domestic Violence Division
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments. Approved by TCA in February 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	Administrative Order 2016-4: Investigation on Incident of Domestic Violence Involving Puerto Rico Police Employees
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in March 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 600-627: Investigation of Domestic Violence Incidents
Due Date	December 2015



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Progress	The TCA and USDOJ reviewed and provided comments to the General Order. Approved by TCA in March 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	Administrative Order 2015-3: Investigation of Incidents of Sexual Violence Committed by PRPD Employees
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in January 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 100-115: Reorganization and Functional Structure of the Sexual Offenses and Child Abuse
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in December 2015. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 600-622: Investigation of Sexual Offenses Incidents
Due Date	December 2015

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Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in December 2015. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 600-626: Intervention of Foreign Persons
Due Date	January 2016
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in March 2016. Effective on May 26, 2016.
Finding	Full Compliance

**II. Training Development Objectives**

None

**III. Data Gathering Objectives: NIBRS**

In 2016, the new policy on the use, distribution, archiving and final disposition of the Crime Incident Report (NIBRS) in the Puerto Rico Police Department went into effect. In April 2016, the TCA and his team had a meeting with the PRPD to determine the progress being made in the effective implementation of NIBRS. The PRPD informed that data collection under NIBRS is taking place, but reporting has not started because the format of the reporting is to be approved. For that reason, the TCA could not see a sample of the work being done by the Division of Statistics.

It is the view of the TCA that the current data collection practices of the PRPD suffer from the same problems that were highlighted by the TCA during the discussion of the approved General Order on NIBRS. The emphasis of the PRPD is displaced for two reasons. First, although the role of the Division of Statistics is central to the implementation of a consistent NIBRS policy across the PRPD, the Division of Statistics appears to play a minimal role in the current phase of development of NIBRS. The Division of Statistics must provide consistent and homogeneous training and guidance on

crime data collection around the Department, and this was not articulated the presentation to the TCA. There is no reason to wait for training at the Police Academy for the Division of Statistics to play a leadership role in this process.

The second reason is that the current approach of the Department should focus on controls, and there is not a single indication that the Division of Statistics plays a role in conducting quality review controls frequently and diligently. The data in the PRPD Status Report is evidence of these deficiencies. The auditing function is crucial in all stages of data collection, from data entry, data classification to the final process of data analysis and data reporting. The meeting demonstrated that the PRPD must develop strong protocols to advance its data analysis capacity.

There were two positive developments in this meeting. First, the PRPD has an ongoing relationship with the academic community in Puerto Rico and has a collaborative agreement with the Institute of Statistics of Puerto Rico. This agreement should be fully utilized to provide the Department with much-needed capacity. Second, the PRPD has started to make progress on the technological front to integrate both IT and quantitative analytical functions. This is a positive development that should strongly provide the PRPD with a strong opportunity to meet the demands of the Agreement.

## **TCA REVIEW OF PRPD ACTION PLAN ON RECRUITMENT, SELECTION & HIRING**

### **Verification of Compliance Progress**

#### **I. Policies and Procedures Development Objectives**

Requirement	The SAEA will create a training class for personnel in the Security and Protection Office attached to the SAIC to investigate recruits.
Due Date	March 2016
Progress	The TCA has not received any training materials.
Finding	Non-Compliance

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Requirement	The Recruitment Office and its work team will develop a flow chart of the various phases of the recruitment process from nomination until selection.
Due Date	February 2016
Progress	The TCA has not received a copy of the flow chart.
Finding	Non-Compliance

## TCA REVIEW OF PRPD ACTION PLAN ON PROFESSIONALIZATION

### Verification of Compliance Progress

#### I. Policies and Procedures Development Objectives

Requirement	Review the General Order 600-617: Code of Ethics for Members of the PRPD (Signed by Superintendent on April 24, 2015).
Due Date	April 2016
Progress	The TCA reviewed policy submitted by PRPD and returned with recommendations in May 2016 (annual review).
Finding	Full Compliance

Requirement	Review the General Order 2010-12: Rules and Procedures for Transfers' Transactions of Staff from System of Rank.
Due Date	April 2016
Progress	The policy was submitted on May 31, 2016
Finding	Non-Compliance

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## I. Objectives in the Development of Training

Requirement	Develop training on Ethics for all the PRPD personnel.
Due Date	General Order 600-617: Code of Ethics for Members of the PRPD was signed by Superintendent on April 24, 2015.
Progress	The TCA participated, evaluated and presented recommendations for this process.
Finding	Full Compliance

Requirement	Develop a Training Program for all Members of the Promotions Examination Board.
Due Date	This activity was carried out in June 2015.
Progress	The TCA participated, evaluated and presented recommendations for this process.
Finding	Full Compliance

## II. Implementation Objectives

Requirement	Established a "Working Group" made up of a representative from the Office of the Superintendent and each of the Auxiliary Superintendents.
Due Date	December 2016
Progress	The group has been established in March 2016 and is led by the Auxiliary Superintendent for General Services, who will be responsible for the development of the work plan for conducting an evaluation for the Staffing Allocation and Resource Study.
Finding	Full Compliance

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Requirement	An assessment of the human resources (PRPD's staffing pattern) the considering their status and functions performed (operational and/or administrative).
Due Date	June 2016
Progress	The "Working Group" is still working in the development of the work plan for conducting an evaluation for the Staffing Allocation and Resource Study
Finding	Non-Compliance

Requirement	Select and designate the Members of the Promotions Examination Board.
Due Date	From 6 to 12 months prior to the announcement of the examination.
Progress	This activity was carried out by PRPD in the promotion process by exams during the last semester.
Finding	Full Compliance

Requirement	The PRPD Academy will provide advice for the development and administration of exams of Promotions.
Due Date	From 6 to 12 months prior to the announcement of the examination.
Progress	This activity was carried out by the Academy in the promotion process by exams during the last semester.
Finding	Full Compliance

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Requirement	The Promotions Examination Board will develop tests that will be subjected applicants to promotions, and similarly, organize and execute all activities related to its administration and correction.
Due Date	Session I: Sergeants (August 29, 2015) Session II: Captain and Lieutenant I (October 24, 2015) Session III: Lieutenant II (December 5, 2015)
Progress	This activity was carried out by PRPD in the promotion process by exams during the last semester.
Finding	Full Compliance

## TCA REVIEW OF PRPD ACTION PLAN ON COMMUNITY ENGAGEMENT & PUBLIC INFORMATION

### Verification of Compliance Progress

#### I. Policies and Procedures Development Objectives

Requirement	Develop the General Order on Community Policing.
Due Date	March 2016
Progress	PRPD Reform Unit submitted to TCA for review their preliminary policy on Community Policing in April 2016. The TCA Core Team reviewed the policy and offered observations and recommendations on April and May 2016. PRPD Reform Unit still working in the development of the policy.
Finding	Partial Compliance

Requirement	Review the Manual of Procedure for the Open Meetings to the Public.
Due Date	November 2015



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Progress	As a replacement for the Manual of Procedure, PRPD Reform Unit submitted a General Order for Open Meetings in April 2016. The TCA Core Team reviewed the policy and offered observations and recommendations on meeting held in April 2016. The PRPD withdrew the policy and will deliver a general order's draft that meets the processes for the concept of "Community Meetings" instead of "Open Meetings".
Finding	Partial Compliance

## II. Objectives for the Development of Trainings

Requirement	Develop multi-thematic seminars for the members of the Committees of Citizen Interaction.
Due Date	April 2016
Progress	PRPD Reform Unit submitted to TCA the multi-thematic seminars 2016 in May 2016.
Finding	Full Compliance

Requirement	Perform an open invitation to the public to recruit candidates interested in being members of the Central Committee or to one of the thirteen (13) Committees of Citizen Interaction of the police areas.
Due Date	July 2015
Progress	The initial call was carried out from 1 to 30 July 2015. Subsequent calls will take place every two years (2).
Finding	Full Compliance